REMARKS/ARGUMENTS

Reconsideration and allowance in view of the following remarks are respectfully requested.

Claims 1-22 are now pending.

Original claims 1-2, 4-5, 8, 11-15, 18 and 20 were rejected under 35 USC 102(e) as being anticipated by McKay. Applicant respectfully traverses this rejection.

The invention as defined in claim 1 (and 14) is directed to a television assembly having at least one touch control operatively coupled to the front or rear face of its front screen panel in an opaque masked perimeter area.

Anticipation under Section 102 of the Patent Act requires that a prior art reference disclose every claim element of the claimed invention. See, e.g., Orthokinetics, Inc. v. Safety Travel Chairs, Inc., 806 F.2d 1565, 1574 (Fed. Cir. 1986). While other references may be used to interpret an allegedly anticipating reference, anticipation must be found in a single reference. See, e.g., Studiengesellschaft Kohle, G.m.b.H. v. Dart Indus., Inc., 726 F.2d 724, 726-27 (Fed. Cir. 1984). The absence of any element of the claim from the cited reference negates anticipation. See, e.g., Structural Rubber Prods. Co. v. Park Rubber Co., 749 F.2d 707, 715 (Fed. Cir. 1984). Anticipation is not shown even if the differences between the claims and the prior art reference are insubstantial and the missing elements could be supplied by the knowledge of one skilled in the art. See, e.g., Structural Rubber Prods., 749 F.2d at 716-17.

McKay is directed to an interactive electronic directory service having a touch screen display and a bezel disposed below the display screen which may incorporate input buttons 64. The Examiner alleges that the bezel with buttons 64 meets the claimed limitation to at least one touch control in an opaque masked perimeter area. Applicant respectfully but strongly disagrees. Even if push buttons 64 are considered to

constitute "touch controls" those buttons 64 are confined to the bezel which is a separate structural component from the screen panel of McKay. Applicants claim 1 specifically requires that the touch control provided in the opaque masked perimeter area be operatively coupled to the front or rear face of the front screen panel. Buttons 64 are operatively coupled to a control system which may control some function of the McKay directory system, perhaps volume or the information displayed, but there is no operative coupling of buttons 64 to the front or rear face of the screen panel as defined by claim 1. In this regard, furthermore, it appears that the Examiner collectively refers to the touch sensors "20" of the touch screen 62 and the push buttons 64, but the touch controls of the touch screen 62 are separate and distinct in configuration, function and type from the push buttons 64 in the bezel. Claim 1 specifically requires that the touch control be provided in the masked perimeter area. There is no teaching or suggestion whatsoever in McKay that the touch controls 20 are provided in any perimeter area as claimed. The only reference to controls in a perimeter area is regarding push buttons 64, but they are in the bezel and are not operatively coupled to the front or rear face of the screen panel, e.g., for functioning as a touch control.

New dependent claims 21 and 22 recite that the at least one touch control is directly adhered to the front or rear face of the front screen panel to make clear that it/they are not incorporated in any bezel, although the operatively coupling feature of claim 1 clearly distinguishes from the push buttons 64 of McKay.

With regard to claim 2 (and 15), the Examiner improperly collectively refers to touch controls 20 and buttons 24. There is no teaching or suggestion in McKay that the touch controls 20 of the touch screen are disposed in a masked perimeter area. In fact the incorporation of buttons 64 belies such an interpretation. Because buttons 64 are clearly not attached to a rear face of the front screen panel and there is no other teaching or suggestion in McKay of a touch control coupled to a rear face of the front screen panel in the masked perimeter area, it is clear that claim 2 is not anticipated.

With regard to claim 4, the Examiner has again improperly referred to touch controls 20, which does not teach or in any way suggest the provision of indicia for a touch screen control provided in a masked perimeter area. In this regard it is respectfully noted that the Examiner must consider the entirety of the limitations characterizing the touch controls of applicant's claims. The recited "at least one touch control" of claims 1 and 14 is operatively coupled to the front or rear face of the front screen panel in the masked perimeter area. Claims 2 and 4 refer to said at least one touch control and thus clearly refer to the touch controls provided in the masked perimeter area. Thus, McKay does not anticipate nor render obvious the limitations of claims 2 and 4.

Claim 5 is likewise not anticipated by nor obvious from McKay because there is no provision of indicia in a masked perimeter area identifying a location or function of a touch screen control provided in that masked perimeter.

With regard to claim 13 it is respectfully noted that McKay does not in fact relate to a television assembly. Rather, McKay relates to an interactive electronic delivery system such as an informational directory. More specifically, as is clear from the McKay abstract, McKay is a self contained computer integrated plasma display that provides a facility directory and facility services information. Thus, McKay clearly does not teach or suggest a television assembly that is one of a plasma television, an LCD television and a projection television. Therefore, the Examiner's rejection of claim 13 is without merit.

As noted above, independent claim 14 is patentable over McKay for the same reasons as claim 1 because McKay does not teach or suggest at least one touch control operatively coupled to a front or rear face of a front screen panel in an opaque masked perimeter area. McKay teaches push buttons 64 incorporated in a bezel. Those push buttons are not touch controls as would be understood to be defined in claim 14 and are not in any event operatively coupled to the front or rear face of the front screen panel.

In view of the foregoing, reconsideration and withdrawal of the rejection based on McKay is solicited.

Claims 3, 10 and 16 were rejected under 35 USC 103(a) as being unpatentable over McKay. Applicant respectfully traverses this rejection.

Claims 3 and 16 specifically provide that the touch sensor is adhesively attached. The Examiner has summarily concluded that it would be "obvious" to adhesively attach the touch sensor in McKay. It is respectfully submitted, however, that the adhesively attached touch sensor of applicant's claims is adhesively attached to the rear face of the front screen panel in a masked perimeter area. Even if the touch sensors 20 of McKay are adhesively attached, they are provided in the area of touch screen 62 and not in any masked perimeter area. The only controls provided in a perimeter area in McKay are the push buttons 64 incorporated in the bezel. There is no teaching or suggestion of adhesively attaching a touch sensor to the rear face of a front screen panel in a masked perimeter area in McKay, so that claims 3 and 16 are clearly not anticipated. With regard to claim 10, it is noted that claim 10 incorporates the other features of applicant's claims namely the provision of touch screen controls in a masked perimeter area, which is not taught or suggested by McKay. Thus, in the combination claimed it is submitted that claim 10 is patentable as well.

Claims 6-7 and 17 were rejected under 35 USC 103(a) as being unpatentable over McKay in view of Ananian. Applicant respectfully traverses this rejection.

The Examiner says that McKay does not disclose a masking layer applied to a rear face of the front screen panel, but cites Ananian as teaching an opaque coating for a border. The Examiner then summarily concludes that it would be obvious to incorporate the Ananian border in McKay. Applicant respectfully disagrees. McKay provides a structural bezel incorporating buttons 64 but no touch control in any peripheral portion. Even if Ananian's opaque perimeter were incorporated in McKay, there would still be no teaching or suggestion of providing touch controls in such an

opaque border perimeter area. Thus, McKay is modified by Ananian would still provide a structural bezel incorporating buttons 64 and would still confine the touch controls to the touch screen 62. No where in the prior art cited by the Examiner is there a teaching of providing touch controls in a masked perimeter area as claimed. It is therefore respectfully submitted that the noted claims are not anticipated by nor obvious from McKay taken in combination with Ananian.

Claims 9 and 19 were rejected under 35 USC 103(a) as unpatentable over McKay in view of Scheve. Applicant respectfully traverses this rejection.

The Examiner cites Scheve as teaching a protective coating that may be silk screened or sprayed over a back surface after an image is applied, and summarily concludes that it would be obvious to incorporate the Scheve silk screen in McKay. Even if McKay were modified in view of Scheve, however, there would still be no teaching or suggestion of touch controls provided in a masked perimeter area. Therefore, the Examiner's rejection ignores the specific limitations of the claims and does not anticipate nor render obvious the invention claimed.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,

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